one of recognition and/or audible prompting on a client device, it does not appear that the Examiner has addressed the specific language in claims 1 and 12, but rather, has appeared to only address the language used in claim 23.

Nevertheless, before addressing the rejection based on Ladd et al, it may be helpful to understand the art to which claims 1, 12 and 23 are directed. Each of claims 1, 12 and 23 recite in the preamble "a computer readable medium having instructions, which when executed on a computer <u>generate client side markup for a client in a client/server system....</u>" (Emphasis added). Support for this language is found in the specification at least on page 27, line 31 through page 28, line 29. Briefly, with reference to FIG. 4 of the present application, web server 202 includes a server size plug-in module 209 that outputs client side markups when a request is made from a client device 30. The server side plug-end module 209 allows the web site, and thus, the application to be defined or constructed using compiled code. The code is run when a web request reaches the web server 202. Using the server side plug-in module 209, the web server 202 outputs a client side markup page that is sent to the client device 30. "Controls" abstract and encapsulate the markup language, and thus, the code of the client side markup page. Although it is known to use such techniques for visual rendering, extension of the controls to also include speech recognition and/or audible prompting in combination with the visual controls has not been addressed.

Independent claims 1, 12 and 23 recite three different approaches for extending the visual controls to include recognition and/or audible prompting. Claim 1 recites a first approach that is illustrated schematically in FIG. 7 and described at page 28, line 29 through page 31, line 23. As recited by claim 1, the instructions comprise a set of controls for rendering. Each control has a first set of attributes

related to visual rendering and a second set of attributes related to at least one of recognition and audible prompting. The specific description is found in the specification at page 30, line 8-18. However, the rejection found on page 2 of the Office Action, paragraph 2, does not refer to the cited language of claim 1 but only refers to a first set of visual controls and a second set of visual controls generally following the language used in independent claim 23.

Referring now to Ladd et al., this reference describes a voice browser for interactive services and methods thereof. The system illustrated and described provides a number of communication devices 201, 202, 203 and 204 that can access information. The Office Action reports a number of citations to Ladd; however, none of these citations are directed to either the markup language server 251 or the markup language server 257. As indicated above, the preamble of claim 1 specifically recites instructions for generating client side markup, which is believed accomplished in Ladd et al. by markup language servers 251 or 257. References to markup language servers 251 and 257 appear at column 7, lines 6-7; column 10, lines 36-38 column 11 lines 12-19; column 11 lines 29-30; and column 16 lines 17-20. However, no where do Ladd et al. describe controls of the type recited in independent claim 1 and for that matter independent claims 12 and 23. At best Ladd et al. provide a general description of the markup language servers, but provide no details as to any sort of controls which would be used in the manner as recited by claim 1. Accordingly, applicants respectfully request withdrawal of the rejection and allowance of claim 1.

For the sake of completeness independent claim 12 recites a first set of visual controls having attributes for visual rendering on a client device, and a second set of controls having attributes related to at least one of recognition and audible prompting, "the second set of controls using at least one

of the first set of controls" (Emphasis added). The second approach is described at page 31, line 24 through page 32, line 28 with reference to FIG. 8 in the present application. Unlike the first approach recited by claim 1 wherein attributes are provided for both visual and either audible prompting and/or voice recognition, the second approach recites that the second controls "use" the first controls. Again, since Ladd et al. is devoid of any reference to controls used in the markup language servers 251 and 257, and certainly, do not teach or suggest the relationship of the controls of recited in independent claim 12, withdrawal of the rejection to claim 12 is respectfully requested.

Independent claim 23 recites a third approach which is described in the specification at page 32, line 29 through page 34, line 17, while further discussion is provided with reference to an exemplary embodiment of FIGS. 10 and 11. In particular, independent claim 23 recites a first set of visual controls with attributes for visual rendering on a client device. In addition, a second set of controls having attributes related to at least one of recognition and audible prompting are also provided. Most importantly, the second set of controls is selectively associated with the first set of controls. Again, for the reasons discussed above, Ladd et al. simply do not disclose or suggest the controls for the markup language servers 251 and 257 in any manner even close to that recited in independent claim 23.

In view of the foregoing, applicant respectfully requests withdrawal of the rejection of claims 1, 12 and 23. The dependent claims depend directly or indirectly from these independent claims and recite further features that when combined with the independent claims, or any intervening claims, are believed separately patentable because Ladd et al. simply do not go into the detail recited by these claims.

With respect to independent claims 52, this claim recites a computer implemented method for defining a web site application on a server in a server/client architecture. The method includes defining the web site application with a first set of visual controls and a second set of controls related to at least one of recognition and audible prompting. The method further includes "selectively associating controls of the second set of controls with at least one control of the first set of visual controls." This language is similar to that used in independent claim 23, and thus, for the reasons discussed above which are hereby incorporated by reference, applicants respectfully submit that Ladd et al. do not teach or suggest the invention recited by claim 52. Withdrawal of the rejection to claim 52 is respectfully requested. Dependent claims 53-56 recite further features that when combined with claim 52 and any intervening claims are also separately patentable.

Applicant hereby requests an extension of time to respond to the Office Action. A charge authorization for the extension of time fee and extra claim charges is enclosed.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: _____
Steven M. Koehler, Reg. No. 36,188
Suite 1400 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

SMK:dkm